

ITEM: 15

SUBJECT: Nicoletti Oil Facility, Dos Palos, Merced County

BOARD ACTION: *Consideration of Resolutions approving a Remedial Action Plan, a California Environmental Quality Act Notice of Determination and Consideration of a Proposed Cleanup and Abatement Order to implement the Remedial Action Plan*

BACKGROUND: Nicoletti Oil, Inc. and ExxonMobil Corporation (hereafter the Discharger) currently or previously owned and operated a petroleum fuel distribution facility located at 2801 Blossom Avenue in Dos Palos, Merced County.

In June 1988, petroleum hydrocarbons discharged to soil and groundwater at the facility were discovered during removal of aviation fuel and waste oil underground storage tanks. Subsequent investigations indicated that groundwater, as shallow as 4 feet below ground surface, soil beneath the facility and the residences to the north had been impacted by pollutant discharges believed to have resulted from leaking buried piping and/or tank overfilling.

The Central Valley Regional Board issued a Cleanup and Abatement Order (CAO) in 2005 to investigate and develop a Remedial Action Plan for the site. ExxonMobil has submitted a draft Remedial Action Plan that consists of soil vapor and groundwater extraction and treatment. A Mitigated Negative Declaration has been prepared for the Plan. Also, a revised CAO is proposed to implement the plan.

ISSUES: The Discharger is not contesting the proposed CAO per se. However, a few technical issues regarding the proposed order were raised by the Discharger including:

- Potential ongoing releases at the facility
- The appropriate laboratory detection limits and health-based limits for TEL
- Suggested revisions of language in the draft CAO that were incorporated into the proposed CAO.

RECOMMENDATION: Adopt the resolutions to approve the Remedial Action Plan and Mitigated Negative Declaration and adopt the proposed order.

Mgmt. Review _____
Legal Review _____

22/23 June 2006
Central Valley Regional Water Quality Control Board meeting
11020 Sun Center Drive, #200
Rancho Cordova, CA 95670